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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Jose Daniel Castillo-Antonio, Plaintiff,)	Case Number 18-3267 SK
)	
vs,)	
)	STIPULATION AND ORDER TO EXTEND
Reyad Jeries Salameh, et al., Defendants.)	TIME UNDER F.R.C.P. 12(f)
)	
)	
)	

TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO ALL PARTIES AND THEIR
RESPECTIVE ATTORNEYS OF RECORD:

WHEREAS, this case has been assigned for early disclosures and mediation under General
Order 56 of the Northern District, and the parties to this stipulation want to make best efforts to
settle this case without litigation; and

WHEREAS, defendant Reyad Jeries Salameh filed his answer on August 8, 2018 (Docket
#8), and plaintiff filed a motion to strike on August 29, 2018 (Docket #9, presently set for hearing
on October 15, 2018 at 9:30 am); and

WHEREAS, defendant Reyad Jeries Salameh filed an amended answer on September 7,
2018 (Docket #10); and

WHEREAS, plaintiff believes that the amended answer suffers from some of the same
defects as the original answer, to wit, (1) that some of the purported affirmative defenses do not
constitute affirmative defenses, and (2) that none of the purported affirmative defenses contain any
underlying detail or facts, but consist only of a bare statement of legal doctrines; and

WHEREAS, plaintiff's deadline for filing a motion under FRCP 12(f) to strike insufficient
defenses from the amended answer is September 28, 2018 (i. e. 21 days after September 7, 2018);
and

1 WHEREAS, plaintiff and defendant are moving the case forward in accordance with
2 General Order No. 56 (the site inspection was held on September 12, 2018), and they are in active
3 discussions, trying to resolve their disagreements about defendant's amended answer informally
4 and to settle the case, and they wish to avoid the necessity of Plaintiff filing a Rule 12(f) motion
5 before September 28, 2018;

6 THEREFORE:

7 IT IS HEREBY STIPULATED by and among plaintiff and defendant Reyad Jeries Salameh
8 that the deadline for plaintiff to file any motion with respect to the amended answer (Docket #10)
9 under Federal Rule of Civil Procedure 12(f) be extended to October 15, 2018.

10 Law Offices of Richard A. Mac Bride

11 Richard Mac Bride /s/ Richard A. Mac Bride

Date: September 14, 2018

12 Attorney for Plaintiff

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14 Law Offices of Roni Rotholz

15 Roni Rotholz /s/ Roni Rotholz

Date: September 14, 2018

16 Attorney for defendant Reyad Jeries Salameh

17
18 FILER'S ATTESTATION

19
20 Pursuant to General Order 45, Section X(B), I hereby attest that on September 14, 2018, I, Richard
21 A. Mac Bride, the attorney of record for plaintiff herein, received the concurrence of attorney
22 Rotholz, attorney for defendant Reyad Jeries Salameh, in the filing of this document.

23
24 /s/ Richard A. Mac Bride

25 Richard A. Mac Bride

ORDER

In the case of Jose Daniel Castillo-Antonio v. Reyad Jeries Salameh et al., 18-3267-SK, pursuant to the stipulation of plaintiff and defendant Reyad Jeries Salameh, and for good cause shown, it is hereby ORDERED, that the deadline for plaintiff to file any motion under Federal Rule of Civil Procedure 12(f) with respect to the amended answer of defendant Reyad Jeries Salameh (Docket #10) is hereby reset to October 15, 2018.

IT IS SO ORDERED.

Date: September 18, 2018



Sallie Kim
United States Magistrate Judge